Remarks

The present amendment is in response to the action mailed in the above-referenced case on January 07, 2005. Claims 1-20 are presented for examination. The Examiner rejects claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over Schemers III et al. (2003/0083882) in view of Berg et al. (US 6,674,713) hereinafter Berg.

In response to the Examiner's rejection and comments, applicant herein amends the necessary claims to positively recite that the reliability handlers respond to errors according to customer specific application profile settings. Applicant also provides valid arguments which clearly show that the art provided by the Examiner in supporting the rejections is inadequate to prove a proper prima facie rejection for applicant's claims, as amended.

Claim 1 is herein amended and presented as follows:

1. (Currently amended) A communications network comprising:

    a media server;

    a document server communicatively coupled to the media server ;

    a media gateway; and

    a call controller configured to provide reliability handling for events experienced during a call session between the media server and the media gateway;

    wherein application profiles are specifically set up for separate individual customers to be executed by the media server and the reliability handling works in conjunction with the call controller to control communication between the media server,

document server and media gateway based on the customer specific application profile settings.

Applicant believes the art of Schemers fails to teach a reliability handler as claimed. The Examiner relies on the media gateway controller of Berg to read on applicant's reliability controller. Berg is primarily concerned with maintaining uninterrupted communication between an Internet Protocol (IP) protocol and a telephony protocol (PSTN; analog). Berg does not teach a reliability handler wherein application profiles are specifically set up for separate individual customers to be executed by the media server and the reliability handling works in conjunction with the call controller to control communication between the media server, document server and media gateway based on the customer specific application profile settings. Berg is only capable of switching one communication session between IP and PSTN to another similar session (Abstract; Fig. 3A, col. 10, lines 24-26).

Applicant believes that neither Schemmer nor Berg teach storing application files for individual customers as claimed. Applicant's invention refers to customers as communication hosting entities, wherein callers requiring information are served based on the hosting entity, usually determined by the dialed number or IVR responses.

The application profile settings in applicant's invention are established at the time the OPM 60 is deployed within a network and are customer-specific. That is, for each customer application one or more document servers 56 may provide instructions to the VXML engine. A profile of that application is established so that the appropriate supervisory control may be provided for calls interacting with that application. Based on these profiles, call redirections, load balancing operations and recovery procedures may be implemented as needed (e.g., in the event of errors that occur during delivery of a VXML application), without the need for human operator intervention (Para 45, page 16).

Applicant believes claim 1 is patentable as amended and argued above. Claims 2-10 are patentable on their own merits, or at least as depended from a patentable claim. Claim 11 is applicant's method claim and is herein amended to reflect the same limitations as amended in claim 1 and is patentable as argued on behalf of claim 1. Claims 12-17 are patentable on their own merits, or at least as depended from a patentable claim. Claims 18-20 are herein canceled as being redundant.

Applicant believes the claims as amended and presented for examination are patentable to applicant over the references cited and applied, and therefore requests reexamination and that the case be passed quickly to issue.

If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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